

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84541 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- CHAKIA District- East Champaran

SAFADAR IMAM @ SAFDAR IMAM Son of Late Ali Imam, Resident of Village- Pawariya Tola, (Near Excise Department), Ward No.27, P.S.- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nishat Anjum W/o Safadar Imar and Daughter of Syed Nizamuddin, Resident of Village- Gauripur Murli, P.S.- Balthar, District- East Champaran, at present residing at C/o Syed Shahnawaz Resident of Village- Shekhi Chakia, P.S.- Chakia, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim, Adv.

For the Opposite Party/s : Mr.Pancha Nand Pandit, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-06-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Chakia P.S.

Case No.63 of 2019 registered under Sections 341, 323, 498A, 380, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is the husband of the informant. Petitioner never demanded any dowry nor tortured his wife. The marriage of the petitioner was solemnized with the informant in the year 2011. The petitioner is still ready to keep his wife.

Notice was issued to the informant (opposite party no.2) but nobody appears on behalf of the informant.



Having considered the facts that the petitioner is still ready to keep his wife, the above named petitioner is directed to surrender in the court below within four weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on provisional bail for six months on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. III, Motihari, East Champaran in connection with Chakia P.S. Case No.63 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. Thereafter the court below shall make efforts for resolution of the dispute between the husband and the wife. If the dispute is resolved and the petitioner keeps his wife properly, the provisional bail granted to the petitioner shall be confirmed and if the dispute is not resolved between the husband and the wife, the court below shall pass order in accordance with law on the provisional bail of petitioner immediately after lapse of six months.

(Prabhat Kumar Jha, J)

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